

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Cormont, et al.)	
)	Confirmation No.: 7225
Serial No.: 10/570,726)	
)	
Title: Method and Device for Lithography by)	Group Art Unit: To be assigned
Extreme Ultraviolet Radiation)	
)	
Filed: March 6, 2006)	Examiner: To be assigned
)	

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
PURSUANT TO 37 C.F.R §1.181(a)**

MS PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sirs:

On September 20, 2006, the U.S. Patent and Trademark Office issued a Notification of Abandonment regarding the above-referenced application. By way of this submission, applicants respectfully petition for the withdrawal of such holding of abandonment pursuant to the provisions of 37 C.F.R. §1.181(a).

As applicants contend that the application is not in fact abandoned, a petition fee is not required. In addition, as this petition is filed well within the first two months of receipt of the notification of abandonment, it is timely filed.

The facts upon which this petition is based are as follows:

1 French patent application No. 0310547, the parent of the above-referenced national phase application, was filed on September 5, 2003.

2. PCT application No. PCT/FR04/002226, which claimed priority to the above-referenced French patent application, was timely filed on September 1, 2004.

3 Pursuant to the national phase provisions of the Patent Cooperation Treaty, applicant had a total of thirty (30) months of the priority date of September 5, 2003, to file a national phase patent application with the U.S. Patent and Trademark Office. Thirty (30) months from that priority date would have been March 5, 2006.

4. However, as March 5, 2006, fell on a Sunday, the provisions of 37 C.F.R. §1.7 state that the application may be filed on the next succeeding business day, which is not a Saturday, Sunday or a federal holiday. In this case, that next succeeding business day would have been March 6, 2006.

5. In fact, on March 6, 2006, the above-referenced U.S. patent application (Serial No. 10/570,726) was filed with the U.S. Patent and Trademark Office.

6 As evidence of the filing of the above-referenced national stage application on March 6, 2006, enclosed are copies of:

- (a) the transmittal letter concerning a submission under 35 USC §371 filed with the application;
- (b) the certification under 37 CFR 1.10 certifying the application was filed by the Express Mail provisions of the U.S. Postal Service on March 6, 2006;
- (c) a copy of Express Mail Certificate No. EV841156619US showing a "Date Accepted" of March 6, 2006; and

(d) a copy of the return receipt postcard filed with the application on March 6, 2006, showing a stamp from the U.S. Patent and Trademark Office of March 6, 2006

7 As the thirty (30) month deadline for filing a national phase application was March 6, 2006, and the enclosed documents clearly establish that the application was in fact filed on March 6, 2006, the national phase application was timely filed

8. The Notification of Abandonment specifically states that the application was purportedly abandoned for "failure to provide the full U.S. Basic National Fee by 30 months". However, the full U.S. Basic National Fee for a large entity is \$300, and in fact, such fee was filed by way of check along with the application as filed. As evidence of the check being filed with the U.S. Patent and Trademark Office, enclosed are copies of:

- (a) the return receipt postcard referenced above identifying under its item number 6 that our check No. 0375, in the amount of \$300, was enclosed with the filing;
- (b) the aforementioned submission under 35 USC §371 also stating that our check in the amount of \$300 is enclosed;
- (c) the certification under 37 CFR 1.10 identifying under its item E, that our check in the amount of \$300 was enclosed with the filing; and
- (d) a copy of our check number 0375, in the amount of \$300, made payable to the U.S. Patent and Trademark Office, and cleared by our bank.

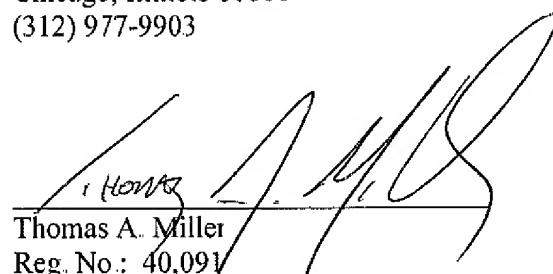
In light of all the foregoing, applicants respectfully submit not only that the above-referenced national phase application was timely filed within the thirty (30) month time period established by statute, but that the filing specifically included the U.S. Basic National Fee under 37 CFR 1.495(b)(2). Applicants therefore respectfully petition for the notification of abandonment to be withdrawn.

Dated: September 27, 2006

Respectfully submitted,

MILLER, MATTHIAS & HULL
One North Franklin Street
Suite 2350
Chicago, Illinois 60606
(312) 977-9903

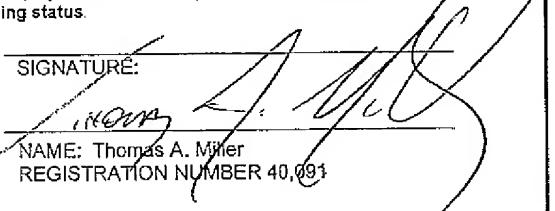
By:


Thomas A. Miller
Reg. No.: 40,091
Attorneys for Applicants

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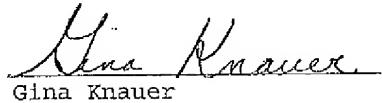
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 28944/50023
INTERNATIONAL APPLICATION NO PCT/FR2004/002226	INTERNATIONAL FILING DATE 01 September 2004	U.S. APPLICATION NO. (If known see 37 CFR 1.5)
TITLE OF INVENTION METHOD AND DEVICE FOR LITHOGRAPHY BY EXTREME ULTRAVIOLET RADIATION		
APPLICANT(S) FOR DO/EO/US Philippe Cormont; Pierre-Yves Thro; and Charlie Vacher		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1 <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371</p> <p>2 <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371</p> <p>3 <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include Items (5), (6), (9) and (21) indicated below.</p> <p>4 <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5 <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau) b. <input checked="" type="checkbox"/> has been communicated by the International Bureau c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6 <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7 <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired d. <input checked="" type="checkbox"/> have not been made and will not be made</p> <p>8 <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>9 <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10 <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5))</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11 <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98</p> <p>12 <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included</p> <p>13 <input checked="" type="checkbox"/> A preliminary amendment</p> <p>14 <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</p> <p>15 <input type="checkbox"/> A substitute specification</p> <p>16 <input type="checkbox"/> A power of attorney and/or change of address letter</p> <p>17 <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18 <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19 <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20 <input checked="" type="checkbox"/> Other items or information: Return receipt postcard</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO PCT/FR2004/002226	ATTORNEY'S DOCKET NUMBER 28944/50023		
The following fees have been submitted				CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)... \$0 All other situations \$200				\$	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
40 - 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x 50.00	\$	
Independent claims	- 3 =		x 200.00	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				\$ 360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 300.00	
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Fees above are reduced by ½				\$	
SUBTOTAL =				\$ 300.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (l)).				\$	
TOTAL NATIONAL FEE =				\$ 300.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 300.00	
				Amount to be refunded: \$	
				Amount to be charged: \$	
a <input checked="" type="checkbox"/> A check in the amount of \$ 300.00 to cover the above fees is enclosed.					
b <input type="checkbox"/> Please charge my Deposit Account No _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____ A duplicate copy of this sheet is enclosed.					
d <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: CUSTOMER NUMBER: 57726 Thomas A. Miller Miller, Matthias & Hull One North Franklin Suite 2350 Chicago, IL 60606					SIGNATURE:  NAME: Thomas A. Miller REGISTRATION NUMBER 40,091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frédéric Rousseau) "EXPRESS MAIL"
U.S. National Phase of) mailing label NO :
International Application No.) EV841156619US
PCT/FR2004/002226) Date of Deposit: March 6, 2006
)
International Filing Date:) I hereby certify that this
01 September 2004) paper (or fee) is being
Filed: Herewith (March 6, 2006)) deposited with the United
For: Method and Device for) States Postal Service "EXPRESS
Lithography by Extreme) MAIL POST OFFICE TO ADDRESSEE"
Ultraviolet Radiation) service under 37 CFR §1.10 on
Group Art Unit: Not Yet Assigned) the date indicated above and is
Examiner: Not Yet Assigned) addressed to: Mail Stop PCT,
Attorney Docket No. 28944/50023) Commissioner for Patents, P.O.
) Box 1450, Alexandria, VA 22313-
) 1450


Gina Knauer

CERTIFICATION UNDER 37 CFR 1.10

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify the attached items are being
deposited with the United States Postal Service on March 6,
2006 in an envelope addressed to Mail Stop PCT, Commissioner
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
utilizing the "Express Mail Post Office to Addressee" service
of the United States Postal Service under Mailing No
EV841156619US.

- a. Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371;
- b. English language translation of International Application No. PCT/FR2004/002226;
- c. Application Data Sheet;
- d. Preliminary Amendment
- e. Check in the amount of \$300.00; and
- f. Return Postcard Receipt


Gina Knauer

Customer Copy

Label 11-F April 2004

 EV 841156619 US		EXPRESS MAIL UNITED STATES POSTAL SERVICE®	
DELIVERY: (POSTAL USE ONLY)			
ORIGIN (POSTAL SERVICE USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code <i>20606</i>	Day of Delivery <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del Day	Postage <i>\$ 14640</i>	Employee Signature
Date Accepted <i>20606</i>	Scheduled Date of Delivery <i>02/07</i>	Return Receipt Fee <i>\$</i>	Employee Signature
Mo. Day <i>2307</i>	Month Day <i>02/07</i>	COD Fee <i>\$</i>	Employee Signature
Time Accepted <i>2307</i>	Scheduled Time of Delivery <input type="checkbox"/> Noon <input checked="" type="checkbox"/> 3 PM	Insurance Fee <i>\$</i>	Employee Signature
Flat Rate <input type="checkbox"/> Weight <i>1 lbs.</i>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees <i>\$ 14640</i>	Customer Signature
Int'l Alpha Country Code <i>X60B091</i>	Acceptance Confirmation <i>(Signature)</i>	WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent if delivery employee judges that article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.	
CUSTOMER USE ONLY: METHOD OF PAYMENT: Express Mail Corporate Acct. No. <i>512 977-990262</i>		Federal Agency Acct. No. or Postal Service Acct. No.	
FROM: (PLEASE PRINT) <i>HILLER MATTHIAS & HULL 114 FRANKLIN ST STE 2350 CHICAGO IL 60606-3545 Attention: Thomas A. Miller 28944/50023</i>		TO: (PLEASE PRINT) <i>MS. PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</i>	
FOR PICKUP OR TRACKING: Visit WWW.USPS.COM or Call 1-800-222-1811			

The Patent Office is hereby requested to acknowledge receipt of the following papers by stamping and returning this card

Title: Method and Device for Lithography By Extreme Ultraviolet

Radiation 06 W/D 2000

Inventors: Philippe Cormont et al.

Attorney Docket: 28944/50023 -

Filed: Herewith (March 6, 2006)

W. H. HARRISON (1800-1841, 2000)

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371
 2. Certificate Under 37 CFR 1.10
 3. Application Data Sheet
 4. English language translation of International Application No PCT/FR04/002226
 5. Preliminary Amendment
 6. Check No 0375 in the amount of \$300.00

Mailing Date: March 6, 2006

Express Mail No : EV841156619US



MILLER, MATTHIAS & HULL
One North Franklin Street
Suite 2350
Chicago, IL 60606

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APR 06 2006

MILLER MATTHIAS & HULL
 1 N FRANKLIN ST STE 2350
 CHICAGO IL 60606-3545

Statement Date:
 Page 1 of 10
 Account Number

03/31/06
 5201531117



5201531117

Statement Period:	03/01/06 - 03/31/06	Beginning Balance:	116,473.98
		Deposits and Additions:	128,300.91
		Checks/Debits/Fees:	161,413.65
		Ending Balance:	83,361.24

Checks

Date	Check #	Reference	Amount	Date	Check #	Reference	Amount	
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03/15/06	*	340	68857488	2,500.00	03/16/06	378	74260523	1,000.00
03/01/06	*	347	78071544	1,490.00	03/16/06	379	74260521	1,000.00
03/01/06	*	348	78071552	1,590.00	03/16/06	380	74260485	1,000.00
03/03/06	*	349	35188568	2,920.00	03/22/06	381	77244016	1,240.00
03/08/06	*	350	35423113	1,703.00	03/23/06	382	70805626	1,700.00
03/09/06	*	351	61218043	1,703.00	03/22/06	383	77244059	1,260.00
03/09/06	*	352	61217984	1,403.00	03/16/06	384	82115502	12,500.00
03/08/06	*	353	68355716	1,000.00	03/17/06	385	69163260	12,500.00
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03/14/06	*	359	52745049	3,690.81	03/28/06	391	33142752	5,115.00
03/23/06	*	360	32779386	19,782.39	03/23/06	392	53983155	450.00
03/07/06	*	361	72285297	10,532.63	03/23/06	393	70805583	2,000.00
03/09/06	*	362	94780259	4,840.00	03/21/06	394	70385248	144.49
03/09/06	*	363	72667243	342.30	03/23/06	395	53997471	392.75
03/17/06	*	364	69143405	1,000.00	03/23/06	396	32778551	162.35
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03/06/06	*	366	68291470	375.00	03/27/06	398	77746562	187.87
03/10/06	*	367	35665693	284.83	03/24/06	399	77671427	64.72
03/10/06	*	368	68520470	899.55	03/29/06	400	65940300	1,040.00
03/21/06	*	369	32539423	2,488.12	03/29/06	401	65940301	1,040.00
03/21/06	*	370	91203156	3,135.08	03/29/06	402	65940287	1,703.00
03/10/06	*	371	68520658	1,385.06	03/29/06	403	65940298	1,530.00
03/13/06	*	372	58558610	50.00	03/29/06	404	65940299	1,330.00
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03/16/06	*	375	74260518	300.00	03/30/06	407	33390772	1,400.00

* Indicates preceding check(s) not processed this statement period (checks could be listed below under Automated Checks).

ATM and Point of Sale Transactions

Date	Description	Effective Dt/ Card #	Withdrawals	Deposits
03/02/06	MERCHANT PURCHASE FEDEX SHP 02/23/06 AB# 851-750290022 TN	0400430062	33.71	

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Statement Date: 03/31/06
Page 7 of 10
Account Number 5201531117

THE AMERICAN BANKERS ASSOCIATION CERTIFICATE OF DEPOSIT IN THE FEDERAL RESERVE SYSTEM		
DATE	INVESTMENT	AMOUNT
PAY TO DRAFT OF U.S. POSTAL TRANSIT CENTER	\$ 630.00	
<i>Sixty-Three and 00/100 Dollars</i>		<i>00</i>
 Lafayette Bank A Division of First Interstate Bank		
FOR		<i>B. K. H.</i>
F000374 10210005054 5201531117*		400000630004

THE FEDERAL TRADE COMMISSION		REGISTRATION NUMBER 10000375	
NAME	ADDRESS	TELEPHONE	
MILLER, MATTHIAS & HULL	516 N. FRANKLIN ST., STE. 2350	CHICAGO, ILLINOIS 60606-3545	0375
		DATE 3-6-2006	
PAY TO THE ORDER OF U. S. PATENT & TRADEMARK OFFICE		\$ 300.00	
These Hundred and <u>00</u> / <u>00</u>		DOLLARS <u>00</u> =	
 LaSalle Bank N.A. 10000375			
10000375		10000300000	

BANK OF CHICAGO NATIONAL BANK ON THE FOLLOWING RECEIPT	
DEBTOR	CO-DEBTOR
 MILLER, MATHIAS & HULL ONE N. FRANKLIN ST. STE. 2250 CHICAGO, ILLINOIS 60606-3543	
0376	
MAY 3-8-2006 2:00 PM	
PAY TO THE OFFICE OF U.S. POSTAGE & TRANSMISSION OFFICES \$ 100.00 <i>One Hundred and \$100</i> DOLLARS B.M.C. 	
	
FOR _____	
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STATE OF ILLINOIS CHICAGO COUNTY CLERK'S OFFICE		
DATE	RECEIVED	NUMBER
 MILLER, MATTHIAS & HULL ONE N FRANKLIN ST., STE. 2250 CHICAGO, ILLINOIS 60606-3545		
PAY TO THE U.S. PATENT & TRADEMARK OFFICE \$ 1,000.00 <i>One Thousand and Yes</i> DOLLARS <u>00</u>		
		
FOR <u>B. R. Miller</u> 00003804 100710005094 5201531117# 0000000000		

Continued on next page